

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**JOHN JAMES,**

**Plaintiff,**

**v.**

**KILOLO KIJAKAZI, acting  
Commissioner of Social Security,**

**Defendant.**

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) **No. 3:22-cv-00372**  
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**ORDER**


Before the Court is a Report and Recommendation (“R&R”) (Doc. No. 28) advising the Court to grant Defendant’s Motion to Remand (Doc. No. 26), reverse the decision of the Social Security Administration (the “Commissioner”), deny as moot Plaintiff’s Motion for Judgment on the Record (Doc. No. 22), and remand the matter for further proceedings. (Doc. No. 28). No timely objection has been filed.

The failure to “timely object to a report and recommendation releases the Court from its duty to independently review the matter.” Lawhorn v. Buy Buy Baby, Inc., No. 3:20-cv-00201, 2021 WL 1063075, at \*1 (M.D. Tenn. Mar. 19, 2021); see also Thomas v. Arn, 474 U.S. 140, 150 (1985) (“It does not appear that Congress intended to require district court review of a magistrate’s factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings.”).

Regardless, the Court thoroughly reviewed the R&R and agrees with the Magistrate Judge’s recommended disposition. Mindful that Plaintiff has already consented to remand (see Doc. No. 26), the Court **APPROVES AND ADOPTS** the R&R (Doc. No. 28). Accordingly, Plaintiff’s Motion for Remand (Doc. No. 26) is **GRANTED**, the decision of the Commissioner is

**REVERSED**, Plaintiffs' Motion for Judgment on the Record (Doc. No. 22) is **DENIED AS MOOT**, and this matter is **REMANDED** for further proceedings.

IT IS SO ORDERED.

  
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WAVERLY D. CRENSHAW, JR.  
CHIEF UNITED STATES DISTRICT JUDGE